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REC'D TN
REGULATORY AUTH.
JUL 25 1998
OFFICE OF THE
EXECUTIVE SECRETARY

Guy M. Hicks
General Counsel

615 214-6301
Fax 615 214-7406

VIA HAND DELIVERY

David Waddell, Executive Secretary
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37238

Re: *Tariff Filings by Local Exchange Companies to Comply with FCC Order
96-439, Concerning the Reclassification of Pay Telephones*
Docket No. 97-00409

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth Telecommunications, Inc.'s First Data Requests to Tennessee Payphone Owners Association. Copies of the enclosed are being provided to counsel of record for all parties.

Very truly yours,

Guy M. Hicks

GMH:ch
Enclosure

POSTED
7-26-00

BEFORE THE TENNESSEE REGULATORY AUTHORITY
Nashville, Tennessee

In Re: *Tariff Filings by Local Exchange Companies to Comply with FCC Order 96-439, Concerning the Reclassification of Pay Telephones*

Docket No. 97-00409

**BELLSOUTH TELECOMMUNICATIONS, INC.'S
FIRST DATA REQUESTS TO
TENNESSEE PAYPHONE OWNERS ASSOCIATION**

BellSouth Telecommunications, Inc. ("BellSouth") hereby requests the Tennessee Payphone Owners Association ("TPOA") to provide answers and furnish documents in response to the following Data Requests by 2:00 p.m. August 15, 2000.

INSTRUCTIONS

(a) If any response required by way of answer to these data requests is considered to contain confidential or protected information, please furnish this information subject to the Protective Order entered by the Tennessee Regulatory Authority ("Authority") in this docket.

(b) If any response required by way of answer to these data requests is withheld under a claim of privilege, please identify the privilege asserted and describe the basis for such assertion. If any document is withheld under a claim of privilege, furnish a list of each document for which the privilege is claimed, reflecting the name and address of the person who prepared the document, the

date the document was prepared, each person who was sent a copy of the document, each person who has viewed or has had custody of a copy of the document, and a statement of the basis on which the privilege is claimed.

(c) These data requests are to be answered with reference to all information in your possession, custody or control or reasonably available to you. These data requests are intended to include requests for information which is physically within TPOA's possession, custody or control as well as in the possession, custody or control of each of TPOA's members or their agents, attorneys, or other third parties from which such documents may be obtained.

(d) If any data request cannot be responded to in full, answer to the extent possible and specify the reason for your inability to respond fully. If you object to any part of a data request, answer all parts of the data request to which you do not object, and as to each part to which you do object, separately set forth the specific basis for the objection.

(e) These data requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these data requests subsequently become known or should your initial response be incorrect or untrue.

DEFINITIONS

(a) "TPOA" means Tennessee Payphone Owners Association, each of its members, its present and former employees, agents, and all other persons acting or purporting to act on behalf of the TPOA.

(b) "You" and "your" refer to the TPOA.

(c) "Person" means any natural person, corporation, corporate division, partnership, other unincorporated association, trust, government agency, or entity.

(d) "And" and "or" shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction will serve to bring within the scope of these Data Requests information that would not otherwise be brought within their scope.

(e) "Identification" or "identify" when used in reference to: (i) a natural individual, requires you to state his or her full name and residential and business address; (ii) a corporation, requires you to state its full corporate name and any names under which it does business, the state of incorporation, and the address of its principal place of business; (iii) a document, requires you to state the number of pages and the nature of the document (e.g., a letter or memorandum), its title, its date, the name or names of its authors and recipients, and its present location or custodian; (iv) a communication, requires you, if any part of the communication was written, to identify the document or documents which refer to or evidence the communication, and to the extent that the communication was not written, to identify the persons participating in the communication and to state the date, manner, place, and substance of the communication.

DATA REQUESTS

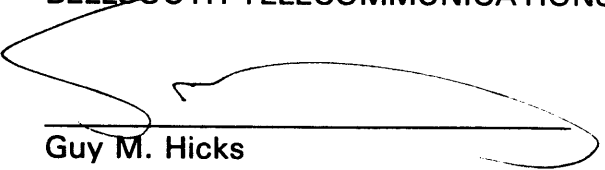
1. Does the recent 8th Circuit Court of Appeals' decision rejecting the TELRIC pricing methodology (No. 96-3321 and consolidated cases) change your position in this docket regarding the pricing of pay telephones in Tennessee? If it does, please explain in detail each and every aspect of your position that has changed in light of the 8th Circuit decision.
2. If your answer to Data Request No. 1 is in the negative, please explain your answer in detail.
3. The Common Carrier Bureau's Order concerning payphone rates in Wisconsin (Wisconsin Public Service Commission Order Directing Filings CC B/C PD No. 00-1, DA 00-347 (rel. March 2, 2000) ¶ 13) applies only to ILECs in that state. In light of that fact, do you believe that the Wisconsin Order should have any applicability to rates which PSPs in pay in Tennessee?
4. If your answer to Data Request No. 3 is in the affirmative, please explain your answer in detail.
5. Do you believe that the rates for public telephone access service ("PTAS") should be priced at cost? If so, please explain why and identify the cost methodology that you believe should be applied (i.e. LRIC, TSLRIC, TELRIC, etc.)?
6. Other than whether the rates for PTAS in Tennessee meet the FCC's "new services" test, do you believe that the Authority must or should address any other issues in this docket?
7. If the answer to Data Request No. 6 is in the affirmative, please: (a) state every other issue you believe the Authority must or should address in this docket; and (b) provide a detailed explanation of your position on each such issue.
8. Do you believe that the existing rates for PTAS in Tennessee meet the FCC's "new services" test? Please explain your answer in detail.
9. Do you believe that the Authority should address the access line rates for PSPs in Tennessee outside of an overall rate rebalancing procedure? If so, please explain your answer in detail.

10. Do you believe that the pricing methodology utilized to set PTAS rates should be different from that utilized for other business customers? If so, please explain your answer in detail.
11. Do you believe that pricing PTAS services at cost eliminates competition for PSPs among CLECs?
12. If your answer to Data Request No. 11 is negative, please fully explain your answer in detail.
13. Please identify all members of the TPOA.
14. Please state how many PTAS lines each of your members subscribes to in BellSouth's service territory.
15. Please state how many PTAS lines each of your members subscribes to in the State of Tennessee.
16. Do you believe that your members will suffer financially if the PTAS rate is not reduced?
17. If the answer to Data Request No. 16 is in the affirmative, please provide copies of the most recent tax returns for each of your members, profit and loss statements for each of your members, and any and all other documents which support your response to Data Request No. 16.
18. Please identify any and all expert witnesses you expect to use in this proceeding; state the subject matter on which the expert is expected to testify; and state the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.
19. Please produce copies of any and all cost studies you intend to use or introduce into the record in this proceeding.
20. Produce copies of all documents which are identified in your response to any of these Data Requests or which support your response to any of these Data Requests.

21. Please produce copies of any other documents you intend to use or introduce into the record in this proceeding.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.



Guy M. Hicks
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(615) 214-6301

R. Douglas Lackey
A. Langley Kitchings
675 W. Peachtree Street, Suite 4300
Atlanta, Georgia 30375

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2000, a copy of the foregoing document was served on the parties of record, via hand delivery, addressed as follows:

☐ Hand
☒ Mail
☐ Facsimile
☐ Overnight

Vincent Williams, Esquire
Consumer Advocate Division
426 5th Avenue, N., 2nd Floor
Nashville, TN 37243

☐ Hand
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Nashville, TN 37219-8888

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Richard Tettlebaum, Esquire
Citizens Telecommunications
1400 16th St., NW, #500
Washington, DC 20036

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☐ Facsimile
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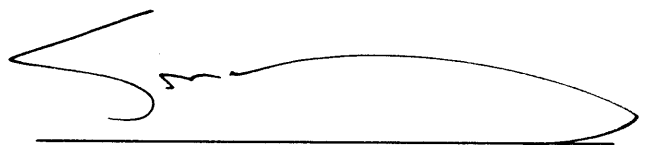
Jon Hastings, Esquire
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

☐ Hand
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☐ Overnight

Val Sanford, Esquire
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A handwritten signature in black ink, appearing to be a stylized 'S' or 'W' followed by a long horizontal stroke.